

Application No. 10/016,280
Amendment dated October 6, 2006
Amendment After Notice of Appeal of April 10, 2006

REMARKS/ARGUMENTS:

Claim 14-22 are currently pending.

The Applicants have submitted a Request for Continued Examination in connection with this Amendment to address the only remaining rejection to the pending claims -- the obviousness-type double patenting rejection. In the Final Office Action mailed October 12, 2005, the pending claims were rejected in view of claims 1-3 and 21-23 of copending application 10/023,099 (now U.S. Patent 7,019,012) for obviousness double patenting. Applicants have submitted herewith a terminal disclaimer with respect to US Patent 7,019,012 and the appropriate fee. Accordingly, Applicants respectfully request withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that the subject application is in condition for allowance and such favorable action at an early date is earnestly solicited.

Respectfully submitted,

/Paula K. Wittmayer/

Paula K. Wittmayer, Reg. No. 53,785
Attorney for Applicant(s)

Patent Department
Boehringer Ingelheim Corp.
900 Ridgebury Road
P.O. Box 368
Ridgefield, CT 06877
Tel.: (203) 791-6692
Date: October 6, 2006